

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING APPLICATION UNDER 37 C.F.R. 1.53(b)
WITHOUT FILING SHEET AND/OR WITHOUT EXECUTED INVENTOR'S DECLARATION

Assistant Commissioner for Patents
Washington, DC 20231



Atty. Dkt. 2661-22

Sir:

01/22/02

Date: January 22, 2002

This is a request for filing a new PATENT APPLICATION under Rule 53(b) entitled:

CANCER THERAPY

without a filing fee and/or without an executed inventor's oath/declaration.

This application is made by the below identified inventor(s). Attached hereto are the following papers:

Newly executed Declaration, Copy of Declaration from prior application, Abstract

37 pages of specification and claims (including 28 numbered claims), and
30 sheets of accompanying drawing/s.

Record the attached assignment and return to the undersigned.

Attached is a Power of Attorney.

Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

Application Number	Country	Day/Month/Year Filed
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jc667 U.S. PRO
10/051367
01/22/02

, respectively, the entire content of which is hereby incorporated by reference in this application..

Certified copy(ies) of foreign application(s) is/are attached.

Certified copy(ies) filed on _____ in prior application no. _____ filed _____

This application claims the benefit of Provisional Application No. 60/262,390, filed January 19, 2001, the entire content of which is hereby incorporated by reference in this application.

Please amend the specification by inserting the following paragraph before the first line: --This application is a continuation/ division/ continuation-in-part of Application No. _____, filed _____, the entire content of which is hereby incorporated by reference in this application.--

Petition filed in prior application to extend its life to insure co-pendency.

The prior application is assigned to _____.

It is hereby requested that the Examiner consider the art cited in the above parent application(s) by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached, but pursuant to Rule 98(d) copies are not required.

Applicant claims "small entity" status. "Small entity" statement attached.

Please enter the attached and/or below preliminary amendment prior to calculation of filing fee:

Inventor:	James (first)	D. MI	CRAPO (last)	U.S.A. (citizenship)
Residence: (city)	Englewood	(state/country) Colorado		
Mailing Address:	4650 S. Forest Street, Englewood, Colorado			
	(Zip Code) 80110			

2.	Inventor:	Brian (first)	J. MI	DAY (last)	U.S.A. (citizenship)
	Residence: (city)	Englewood	(state/country) Colorado		
	Mailing Address:	6122 S. Nome Court, Englewood, Colorado			
		(Zip Code) 80111			

See attached sheet(s) for additional inventor(s) information!!

Address all future communications to NIXON & VANDERHYE P.C., 1100 North Glebe Road, 8th Floor, Arlington, VA 22201.

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Arlington, Virginia 22201-4714

Telephone: (703) 816-4000

Faxsimile: (703) 816-4100

MJW:tat

NIXON & VANDERHYE P.C.

By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: _____

Mary J. Wilson

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 Applicant claims "small entity" status. "Small entity" statement attached.
 Please enter the attached and/or below preliminary amendment prior to calculation of filing fee:

3. Inventor: Ines BATINIC-HABERLE Yugoslavian
(first) MI (last) (citizenship)
Residence: (city) Durham (state/country) North Carolina
Mailing Address: 1 Cotswold Place, Durham, North Carolina
(Zip Code) 27707

4. Inventor: Richard GAMMANS U.S.A.
(first) MI (last) (citizenship)
Residence: (city) Research Triangle Park (state/country) North Carolina
Mailing Address: c/o Aeolus Pharmaceuticals, Inc., P.O. Box 14287, Research Triangle Park, North Carolina
(Zip Code) 27709

5. Inventor: Zeljko VUJASKOVIC Croatian
(first) MI (last) (citizenship)
Residence: (city) Durham (state/country) North Carolina
Mailing Address: c/o DUKE UNIVERSITY, Office of Science and Technology, 230 North Building, Research Drive,
Durham, North Carolina
(Zip Code)

JC857 U.S. PRO
JC10/051367
01/22/02